

Filed for intro on 02/16/95
House Bill _____
By _____

Senate No. SB1608
By Rice

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 39,
Part 3, relative to gas acquisition corporations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 39, Part 3, is amended by
adding the following new section:

Section _____. Notwithstanding any other provision of this chapter or the
provisions of the Interlocal Cooperation Act, Title 12, Chapter 9, to the contrary, the
following provisions shall apply to any gas acquisition corporation:

(a) A gas acquisition corporation shall be deemed to be a "public
agency," as defined in Section 12-9-103, for all purposes of the Interlocal Cooperation
Act. Specifically, but without limitation, one (1) or more gas acquisition corporations may
act jointly with each other or with other public agencies in the exercise of their powers as
provided in Section 12-9-104; and (2) a gas acquisition corporation may, pursuant to
Section 12-9-108, contract with other public agencies, whether within or outside this
state, to perform any service, activity or undertaking authorized by this chapter, and in
such event any such other public agency shall be deemed to be the corporation's

“associated municipality” for purposes of Section 7-39-302(b) and Section 7-39-304, but not for any other purposes of this chapter.

(b) A gas acquisition corporation may be incorporated under Section 7-39-201 to act on behalf of two (2) or more municipalities, each of which shall be deemed to be the “associated municipality” for all purposes of this chapter, and all provisions of this chapter shall, as nearly as may be practicable, be made applicable to such corporation and each associated municipality, subject to the following:

(1) The persons filing the application for incorporation under Section 7-39-201 must include at least one (1) duly qualified elector and taxpayer of each municipality, and such application must be approved by the governing body of each municipality.

(2) The name of the corporation need not include the name of each associated municipality, or any of them.

(3) The board of directors may, but shall not be required to, include a member who is a resident of each associated municipality, provided that all members shall be duly qualified electors of and taxpayers in one or more of such municipalities; and members of the board may be nominated and elected, and may be removed for cause, in any manner approved by the governing bodies of all associated municipalities.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 39, Part 3, relative to gas acquisition corporations.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 39, Part 3, relative to gas acquisition corporations.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 39, Part 3, relative to gas acquisition corporations.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 39, Part 3, relative to gas acquisition corporations.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 39, Part 3, relative to gas acquisition corporations.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 39, Part 3, relative to gas acquisition corporations.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 39, Part 3, relative to gas acquisition corporations.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 39, Part 3, relative to gas acquisition corporations.

AN ACT to amend Tennessee Code Annotated, Title 7, Chapter 39, Part 3, relative to gas acquisition corporations.